

NICHOLAS A. TRUTANICH
United States Attorney
Nevada Bar Number 13644
PENELOPE J. BRADY
Assistant United States Attorney
400 South Virginia Street, Suite 900
Reno, Nevada 89501
775-784-5438
penelope.brady@usdoj.gov

Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America

Plaintiff,

v.

David Avalos-Reyes,
a/k/a Manuel Avalos-Reyes,
a/k/a Juan German Ferrer,
a/k/a David Reyes,

Defendant.

3:19-CR-00047-MMD-CBC

**Government's Motion to Dismiss the
Indictment Without Prejudice**

The Indictment in this case charges Defendant David Avalos-Reyes, a/k/a Manuel Avalos-Reyes, a/k/a Juan German Ferrer, a/k/a David Reyes, with violating 8 U.S.C. § 1326. On October 28, 2019, the Court ordered Defendant released under the Bail Reform Act, and the Defendant was transferred into the custody of U.S. Immigration and Customs Enforcement. The defendant was removed from the country on November 1, 2019.

/ / /

/ / /

/ / /

/ / /

1 Pursuant to Federal Rule of Criminal Procedure 48(a), the government hereby moves for
2 leave of Court to dismiss the Indictment without prejudice.

3 Respectfully submitted this 7th day of November, 2019.

4 NICHOLAS A. TRUTANICH
5 United States Attorney

6 /s/ Penelope J. Brady
7 PENELOPE J. BRADY
8 Assistant United States Attorney
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 United States of America

3:19-CR-00047-MMD-CBC

4 Plaintiff,

5 v.

**Order Granting Motion to
Dismiss the Indictment Without
Prejudice**

6 David Avalos-Reyes,
a/k/a Manuel Avalos-Reyes,
a/k/a Juan German Ferrer,
a/k/a David Reyes,

7 Defendant.
8
9

10 Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the
11 United States hereby dismisses without prejudice the Indictment against Defendant David
12 Avalos-Reyes, a/k/a Manuel Avalos-Reyes, a/k/a Juan German Ferrer, a/k/a David
13 Reyes.

14 NICHOLAS A. TRUTANICH
15 United States Attorney

16 /s/ Penelope J. Brady
PENELOPE J. BRADY
17 Assistant United States Attorney

18 Leave of Court is granted for the filing of the above dismissal.

19 DATED this 12th day of November, 2019.

20
21 

22 CHIEF JUDGE MIRANDA M. DU
23 UNITED STATES DISTRICT COURT
24 DISTRICT OF NEVADA

CERTIFICATE OF SERVICE

It is hereby certified that pursuant to LCR 47-4 service of the foregoing
**GOVERNMENT'S MOTION TO DISMISS THE INDICTMENT WITHOUT
PREJUDICE** made through the Court's electronic filing and notice system (CM/ECF)
addressed to the following:

Kate Berry, Assistant Federal Public Defender
Kate_Berry@fd.org

/s/ Penelope J. Brady
PENELOPE J. BRADY
Assistant United States Attorney